Criminal Appeal No. 1031 of 2001
(Old No. 1299/1982)

Hon'ble B. C. Kandpal, J.

The record reveals that the appellant No. 2 – Banner has died. Therefore, the appeal is abated on behalf of the appellant No. 2 – Banner.

None is present on behalf of the appellant No. 1 – Jasser.

The record of the lower court has been weeded-out, therefore, there is no material available before me in order to decide the appeal on merit at this stage.

The impugned order dated 30.04.1982 which has been challenged by way of this appeal, shows that the realization of warrant was issued against the appellant. The appellant has taken sureties on behalf of the accused who absconded during the course of the trial. The trial court found that the appellant was a professional surety accordingly, trial court issued the realization warrant against the appellant. The order, issuing the realization of warrant against the appellant has been challenged by way of the present appeal.

I heard learned A.G.A. for the State and perused the record.

I do not find any infirmity in the impugned order dated 30.04.1982 by which the realization order has been issued against the appellant. The ground of appeal filed by the appellant also does not indicate anywhere that any provision of law has been violated by the court below in passing the impugned order.

Accordingly, the appeal is dismissed. The court below is directed to take necessary steps against the appellant for realization of amount of the surety.

(B.C. Kandpal, J.)

28.08.2006
ASWAL